



In the United States Patent and Trademark Office

Application No.: 09/810,336
Filed: 3/14/2001
Title: Biased Rotatable Combdrive Devices and Methods
Applicants: Behrang Behin et al.
Examiner: Not Assigned
Art Unit: 2811

Mailed 1/25/2002
Fremont, CA

Information Disclosure Statement

Commissioner of Patents and Trademarks
Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon. It is requested that the document(s) on the enclosed form be made of record.

Part I (Authority)

This statement is filed pursuant to:

☒ 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

☐ 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$180), or a certification according to 37 C.F.R. § 1.97(e).

☐ 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180) and a certification according to 37 C.F.R. § 1.97(e).

Conditional Petition

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement comes in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

Part II (Payment)

A check is enclosed as indicated:

- ☒ (X) No fee is due.
- ☐ () The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$180).
- ☐ () The petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$180).

Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- ☒ (X) No certification is necessary.
- ☐ ()
 - (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
 - ☐ () The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
 - ☐ () The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- ☐ ()
 - (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

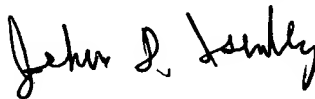
Part IV (Additional Statement)

An additional statement regarding these items of information (X) is, () is not, enclosed.

Copies of the cited art (X) are enclosed, () are of record in parent application Serial No. _____ and will be provided if the Examiner deems it convenient.

Dated: 1/25/2002

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/810,336
Agent's Docket No.: ONX-106A
Filed: 3/14/2001
Title: "Biased Rotatable Combdribe Devices and Methods"
Applicants: Behrang Behin et al.
Examiner: not yet assigned
Art Unit: 2811

Certificate of Mailing by "EXPRESS MAIL"

I hereby certify that I am mailing this correspondence on the date indicated below to the ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 using the "Express Mail Post Office to Addressee" service of the United States Postal Service under 37 CFR 1.10.

DATE OF MAILING

SIGNATURE

EXPRESS MAIL LABEL NO:

NAME OF PERSON SIGNING

**ADDITIONAL STATEMENT REGARDING INFORMATION DISCLOSURE
STATEMENT**

Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

The attached Information Disclosure Statement includes references that are not in the English language.

Two of these references, German Offenlegungshrift DE 19644918A1 and German Gebrauchsmuster DE 29618818U1 appear to be cumulative of each other. An English language translation has been provided for the Offenlegungshrift DE 19644918A1.

Another German reference, Offenlegungshrift DE 19757181 is submitted without an English language translation of the entire text. However, the applicants are submitting an English language translation of the Abstract of this reference. The Applicants submit that any relevance of this reference may be determined from the abstract and/or the figures. However, if the Examiner believes that an English language translation would be useful, the applicants will arrange to have one prepared upon request.

Published French Patent Application Number 2 732 467 A1 is also submitted. Although no translation has been provided for this reference, the Applicants have submitted a US Patent, No. 5,723,353 that claims priority from the same two German applications (DE 195 04 151.8 and DE 195 30 796.4) from which FR 2 732 467 A1 claims priority. The Applicant notes that both the US 5,723,353 and FR 2 732 467 A1 contain the same



drawings and are therefore believed to be substantially cumulative of each other. As such, the applicant submits that no translation is necessary for French Patent Application FR 2 732 467 A1.

Very respectfully,

A handwritten signature in cursive script, appearing to read "Joshua D. Isenberg".

Joshua D. Isenberg,
Patent Agent, Reg. No. 41,088
JDI PATENT
204 Castro Lane
Fremont, CA 94539